

#14

Attorney Docket No. EIS-5799 (1417G P 570)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of)
JAMES MARTUCCI et al.)
)
Application No. 10/043,891) Examiner: Roz Ghafoorian
)
Filed: January 11, 2002) Group Art No. 3763
)
For: MEDICATION DELIVERY SYSTEM) Confirmation No. 6265
)
)

**PETITION TO WITHDRAW FROM ISSUE
TO PERMIT CONSIDERATION OF INFORMATION DISCLOSURE
STATEMENT UNDER § 1.97 IN CONTINUING APPLICATION (37 C.F.R. 1.313)**

Mail Stop 313(c)
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

1. The Applicant hereby petitions for the withdrawal of the above-identified Application from issue.
2. This Application was awarded a Notice of Allowance and is scheduled to issue. The issue fee was due on December 23, 2003 and was paid on November 12, 2003.
3. The reason for withdrawal from issue and abandonment of this Application is for consideration of an Information Disclosure Statement (IDS) in a Request for Continued Examination (RCE) under 37 CFR §1.114.
4. An RCE and accompanying IDS is submitted herewith.
5. A check in the amount of \$1,540.00 to cover the filing fee for the RCE is enclosed.

RECEIVED

DEC 03 2003

OFFICE OF PETITIONS

12/05/2003 AKELLEY 00000033 10043891

120.00 00

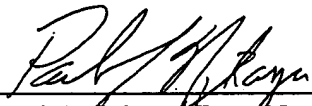
Attorney Docket No. : EIS-5799 (1417G P 570)
Application No.: 10/043,891

6. A check in the amount of \$130.00 to cover the petition fee is also enclosed.
7. The Commissioner is hereby authorized to charge any additional payment for fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

Respectfully submitted,

Dated: December 4, 2003

By:

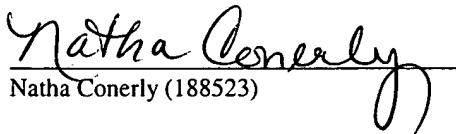

Paul J. Nykaza, Reg. No. 38,984
William J. Lenz, Reg. No. 44,208
Wallenstein Wagner & Rockey, Ltd.
311 South Wacker Drive, Suite 5300
Chicago, Illinois 60606-6630
(312) 554-3300

CERTIFICATION UNDER 37 C.F.R. § 1.10

Express Mail Label No. EL 999600400 US EL 999600435 US

Date of Deposit: December 4, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop 313(c), Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450.


Natha Conerly (188523)